

Exhibit A

IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

:

CIVIL ACTION

Plaintiff,

:

FILE NO. 2021CV1133

v.

:

DOLLAR TREE STORES, INC.,

:

d/b/a DOLLAR TREE,

:

Defendant.

SUMMONS

TO: DOLLAR TREE STORES, INC.
 C/O CORPORATION SERVICE COMPANY, AS REGISTERED AGENT
 2 SUN COURT, SUITE 400
 PEACHTREE CORNERS, GEORGIA 30092

You are hereby summoned and required to file with the Clerk of said Court and serve upon Jody D. Peterman, Plaintiff's attorney, whose address is Jody D. Peterman, LLC, P.O. Box 6010, Valdosta, GA 31603-6010, an answer to the Complaint which is herewith served upon you, within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This the 13th day of July, 2021.

/s/ LaToya Brown

CLERK OF COURT

IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

:

CIVIL ACTION

Plaintiff,

:

FILE NO.: 2021CV1133

v.

:

DOLLAR TREE STORES, INC.,

:

d/b/a DOLLAR TREE,

:

Defendant.

COMPLAINT

COMES NOW Edna singletary, Plaintiff in the above-styled action, and files this her Complaint against Defendant, showing the Court as follows:

1.

Defendant Dollar Tree Stores, Inc., hereinafter referred to as "Defendant," is a foreign for-profit corporation incorporated in the State of Virginia, and is authorized to and does transact business within the State of Georgia.

2.

Defendant, at all relevant times, owned and/or operated the Dollar Tree store located at 3279 Jack Staten Way, Valdosta, Georgia, and is subject to the jurisdiction of this Honorable Court. Defendant may be served through its registered agent: Corporation Service Company, 2 Sun Court, Suite 400, Peachtree Corners, Georgia 30092.

3.

Jurisdiction and venue are proper in this Court.

4.

On or about November 29, 2020, Plaintiff was present at the Dollar Tree at 3279 Jack Staten Way in Valdosta, Georgia as a customer/business invitee.

5.

Plaintiff was inside Defendant's establishment and, as she was walking, slipped in a puddle of liquid in one of the aisles. The dangerous condition (i.e. wet floor) was not readily apparent to the average customer/business invitee.

6.

Defendant knew or should have known of the dangerous condition before Plaintiff was injured by the defect.

7.

Defendant had notice of the dangerous condition.

8.

The Defendant's employees and agents knew of such dangerous condition on November 29, 2020, and notwithstanding their knowledge of such dangerous condition, maintained such dangerous condition on November 29, 2020.

9.

This dangerous condition, which was known to the agents and employees of the Defendant, was unknown to Plaintiff.

10.

As a result of the incident, Plaintiff has suffered serious bodily injury.

11.

As a result of the injuries and negligence of Defendant, Plaintiff has suffered past, present and will in the future suffer pain therefrom.

12.

Plaintiff has incurred medical expenses for treatment of her injuries.

13.

Plaintiff's injuries are permanent and continuing in nature.

14.

All damages suffered by Plaintiff are the direct and proximate result of the Defendant's negligent acts and omissions.

WHEREFORE, Plaintiff prays as follows:

- a. That service of process issue in accordance with the law;
- b. That Plaintiff have a jury trial on all issues set forth herein;
- c. That Plaintiff recover a judgment against the Defendant for medical bills and pain and suffering in an amount to be determined by the enlightened conscience of an impartial jury;
- d. That Plaintiff be entitled to all costs of this action;
- e. That Plaintiff have such other and further relief as this Honorable Court deems just and proper.

This the 12th day of July, 2021.

JODY D. PETERMAN, LLC

/s/ Jody D. Peterman
JODY D. PETERMAN
Attorney for Plaintiff
Georgia Bar No.: 573552

P.O. Box 6010
Valdosta, GA 31603-6010
Phone (229) 247-0386
Fax (229) 469-6735
Email: petermanlawoffice@yahoo.com
dhanson.petermanlaw@gmail.com

/s/ Dillon P. Hanson
DILLON P. HANSON
Attorney for Plaintiff
Georgia Bar No.: 883590

IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

:

CIVIL ACTION

Plaintiff,

:

FILE NO.: 2021CV1133

v.

:

DOLLAR TREE STORES, INC.,

:

d/b/a DOLLAR TREE,

:

Defendant.

SUMMONS

TO: DOLLAR TREE STORES, INC.
 C/O STORE MANAGER ON DUTY
 3279 JACK STATEN WAY
 VALDOSTA, GA 31602

You are hereby summoned and required to file with the Clerk of said Court and serve upon Jody D. Peterman, Plaintiff's attorney, whose address is Jody D. Peterman, LLC, P.O. Box 6010, Valdosta, GA 31603-6010, an answer to the Complaint which is herewith served upon you, within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This the 15th day of July, 2021.

/s/ LaToya Brown

CLERK OF COURT

LOWNDES COUNTY, GEORGIA
 Lowndes County - Superior Court
 2021CV1133
 7/14/2021 6:13 PM
 BETH C. GREENE
 Clerk of Superior State Juvenile Courts
 Reviewed by: LaToya Brown

SHERIFF'S ENTRY OF SERVICE

REORDER #11-1785 TOMMY CASTLEBERRY CO., COWARTON, GA 30014

Civil Action # 2021CV1133

GEORGIA LOWNDES COUNTY Superior Court
 Filed in office this State Court

Date Filed 7/12/21

AUG 02 2021

LOWNDES COUNTY

Attorney's Address

Jody D. Peterman, LLC
 304 N. Ashley Street
 Valdosta, GA 31601

Beth C. Greene
 Clerk Superior Court/State Court/
 Juvenile Court

Edna Singletary

Plaintiff

VS.

Dollar Tree Stores, Inc. d/b/a Dollar Tree

Name and Address of Party to be Served.

Dollar Tree Stores, Inc.

Defendant

c/o Store Manager on Duty

3279 Jack Staten Way

Valdosta, GA 31602

Garnishee

SHERIFF'S ENTRY OF SERVICE

I have this day served the defendant _____ personally with a copy
 of the within action and summons.

I have this day served the defendant _____ by leaving a
 copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of _____ described as follows:
 age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches, domiciled at
 the residence of defendant.

☒ Served the defendant Dollar Tree Stores, Inc a corporation
 by leaving a copy of the within action and summons with _____ position: Freight Manager
 in charge of the office and place of doing business of said Corporation in this County.

Summons, Complaint

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises
 designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class. in an
 envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice
 to the defendant(s) to answer said summons at the place stated in the summons.

☐ Diligent search made and defendant _____
 not to be found in the jurisdiction of this Court.

This 30th day of July, 20 21.

DeP. [Signature] #1197
 1102.com5 DEPUTY

SHERIFF DOCKET PAGE
 WHITE--CLERK CANARY--PLAINTIFF PINK--DEFENDANT

1 of 3

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IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

:

CIVIL ACTION

Plaintiff,

:

FILE NO.: 2021CV1133

v.

:

DOLLAR TREE STORES, INC.,
d/b/a DOLLAR TREE,

:

:

Defendant.

PLAINTIFF'S, EDNA SINGLETARY, OFFER OF SETTLEMENT TO
DOLLAR TREE STORES, INC., D/B/A DOLLAR TREE
PURSUANT TO O.C.G.A. § 9-11-68

VIA CERTIFIED MAIL NO. 7020 1810 0001 8811 6530

TO: James T. Hankins, III
Goodman McGuffey, LLP
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084

COMES NOW, EDNA SINGLETARY, Plaintiff in the above styled action by and through her undersigned counsel, pursuant to O.C.G.A. § 9-11-68, *as amended by HB 239 and effective April 27, 2006*, and makes the following *Offer of Settlement* to DOLLAR TREE STORES, INC., D/B/A DOLLAR TREE. In support of this offer of settlement, and as required by O.C.G.A. § 9-11-68, undersigned counsel shows as follows:

1.

Plaintiff offers to accept from DEFENDANT the sum **ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)** in an attempt to unconditionally resolve any and all claims currently pending on behalf of Plaintiff against DEFENDANT in this cause of action which arose from the incident that occurred on or about November 29, 2020.

2.

This offer includes amounts for any and all claims asserted by Plaintiff against DEFENDANT in this tort action, including any and all known and unknown bodily personal injuries of Plaintiff, all wage loss and loss of consortium claims, all hospital bills, doctor bills, drug

bills, and other medical expenses, that belong to or are the responsibility of Plaintiff or which may hereafter accrue to Plaintiff on account of or resulting from the above-referenced incident, all claims for attorney's fees and/or expenses of litigation and any future or other damages relating to Plaintiff's claims against DEFENDANT in this action and any and all claim(s) which were or which could have been raised in the instant lawsuit against DEFENDANT. The General Release will also include an indemnity provision in favor of DEFENDANT as to these and any other claims against DEFENDANT arising from November 29, 2020, incident.

3.

This Offer of Settlement does not include an additional amount for Plaintiff's costs and attorney's fees;

4.

The Settlement entered in accordance with this Offer of Settlement is to be in total settlement of **any and all claims** by Plaintiff against DEFENDANT for the claims which form the basis of this lawsuit and which are the subject matter of this litigation. This Settlement shall have no effect whatsoever except in settlement of those claims;

5.

This Offer of Settlement is made solely for the purposes specified in Rule 68, and is not to be construed as an admission that DEFENDANT is liable in this action, or that Plaintiff has suffered any damage;

6.

This offer does not include any amount to settle any claim for punitive damage as no such claim has been asserted against DEFENDANT in this action nor does any legal basis exist for such a claim;

7.

Plaintiff will execute a Dismissal with Prejudice;

8.

Plaintiff shall execute a full Release with indemnity language in favor of DEFENDANT as well as an affidavit of no liens;

9.

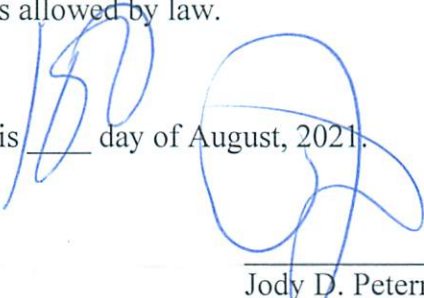
Beyond acceptance of this offer in writing by Plaintiff or her representatives, Plaintiff places no other conditions on this offer.

In accordance with Rule 68, if this Offer of Settlement is not accepted by DEFENDANT within thirty (30) days after service of the Offer, the Offer shall be deemed withdrawn and any

evidence of this offer will be inadmissible except in any proceeding to recover costs and attorney's fees.

In accordance with Rule 68, if this Offer of Settlement is not accepted by DEFENDANT and if the final judgement is obtained by Plaintiff as provided by O.C.G.A. § 9-11-68, DEFENDANT must pay the reasonable attorney's fees and expenses of litigation incurred by the Plaintiff or on Plaintiff's behalf as allowed by law.

Respectfully submitted this 15 day of August, 2021.



Jody D. Peterman
Attorney for Plaintiff
Georgia Bar # 573552

Jody Peterman
Attorney at Law
P.O. Box 6010
Valdosta, GA 31603-6010
(229) 247-0386

IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

:

CIVIL ACTION

Plaintiff,

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FILE NO.: 2021CV1133

v.

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DOLLAR TREE STORES, INC.,
d/b/a DOLLAR TREE,

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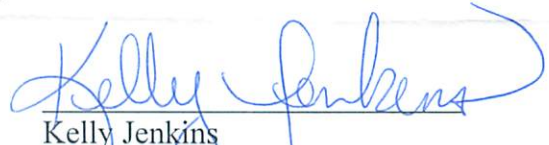
Defendant.

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing PLAINTIFF, EDNA SINGLETARY, Offer Of Settlement (Personal Injury) to DOLLAR TREE STORES, INC., D/B/A DOLLAR TREE PURSUANT TO O.C.G.A. §9-11-68 upon all parties of record via certified mail in the form required by Georgia Code Sections 9-11-5 and 9-11-68(a)(8) to:

James T. Hankins, III
Goodman McGuffey, LLP
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084

Respectfully submitted this 10th day of August, 2021.


Kelly Jenkins
Secretary to Jody D. Peterman

Jody Peterman
Attorney at Law
P.O. Box 6010
Valdosta, GA 31603-6010
(229) 247-0386



IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

Plaintiff,

Civil Action

File No.: 2021CV1133

v.

DOLLAR TREE STORES, INC., d/b/a
DOLLAR TREE,

Defendant.

DEFENSES AND ANSWER

COMES NOW, Dollar Tree Stores, Inc. d/b/a Dollar Tree, named Defendant in the above styled action, and files the following Defenses and Answer to Plaintiff's Complaint and shows the Court as follows:

FIRST DEFENSE

The Complaint fails to set forth a claim against this Defendant upon which relief can be granted.

SECOND DEFENSE

For a Second Defense, the Defendant answers the numbered paragraphs of the Complaint as follows:

1.

Defendant admits the allegations contained in Paragraph 1 of the Complaint.

2.

Defendant admits that it operates a store in Valdosta, Georgia and that is registered agent is Corporation Service Company, 2 Sun Court, Suite 400, Peachtree Corners,

Georgia. Defendant denies any remaining allegation contained in Paragraph 2 of the Complaint.

3.

Defendant denies, as pled, the allegations contained in Paragraph 3 of the Complaint.

4.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 4 of the Complaint and, therefore, cannot admit or deny same.

5.

Defendant denies, as pled, the allegations contained in Paragraph 5 of the Complaint.

6.

Defendant denies the allegations contained in Paragraph 6 of the Complaint.

7.

Defendant denies the allegations contained in Paragraph 7 of the Complaint.

8.

Defendant denies the allegations contained in Paragraph 8 of the Complaint.

9.

Defendant denies the allegations contained in Paragraph 9 of the Complaint.

10.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 10 of the Complaint and, therefore, cannot admit or deny same.

11.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 11 of the Complaint and, therefore, cannot admit or deny same.

12.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 12 of the Complaint and, therefore, cannot admit or deny same.

13.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 13 of the Complaint and, therefore, cannot admit or deny same.

14.

Defendant denies the allegations contained in Paragraph 14 of the Complaint.

15.

Any allegation of the Complaint not admitted, denied or otherwise responded to above is hereby denied.

THIRD DEFENSE

Defendant is not liable to Plaintiff because Defendant breached no duty owed to Plaintiff in regard to the occurrence giving rise to this Complaint.

FOURTH DEFENSE

Defendant shows that the alleged damages of Plaintiff, if any, were caused by the contributory and comparative negligence of Plaintiff.

FIFTH DEFENSE

Plaintiff, by the exercise of ordinary care, could have avoided the consequences of any act or failure to act of Defendant.

SIXTH DEFENSE

Defendant is not liable to Plaintiff because the negligence of Plaintiff equaled or preponderated over any acts or omissions of Defendant in producing or in bringing about the occurrence complained of, but Defendant denies that any act of Defendant produced, brought about, caused, or contributed to in any manner whatsoever the occurrence complained of in the Complaint.

SEVENTH DEFENSE

The claims of Plaintiff are barred by the Georgia doctrine of assumption of risk.

EIGHTH DEFENSE

Plaintiff's injuries, if any, were caused by an unforeseeable intervening third party tortfeasor and/or the acts and failure to act of persons or entities other than Defendant.

NINTH DEFENSE

The Plaintiff's failure to properly plead items of special damages sought in this action prohibits and/or bars Plaintiff's rights to recover and/or recoup any items of special damages in this action, as a matter of law. O.C.G.A. § 9-11-9(g).

TENTH DEFENSE

The Complaint should be dismissed for lack of jurisdiction over the subject matter, lack of jurisdiction over the person of this Defendant, improper venue, and insufficiency of process and service of process as to this Defendant.

ELEVENTH DEFENSE

In the event that any benefits have been paid by or on behalf of Defendant, Defendant is entitled to a set off against any verdict for the amount of benefits paid. See, *Orndorff v. Brown*, 197 Ga. App. 591 (1990).

WHEREFORE, having fully answered, Defendant prays that the Complaint be dismissed with costs of this action cast against the Plaintiff.

This 9th day of August, 2021.

Goodman McGuffey LLP
Attorneys for Dollar Tree Stores, Inc. d/b/a Dollar Tree

By: /s/James T. Hankins, III
James T. Hankins, III
GA State Bar No.: 188771
jhankins@GM-LLP.com
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084
(404) 264-1500 Phone
(404) 264-1737 Fax

DEFENDANT DEMANDS
TRIAL BY JURY OF TWELVE

IN THE SUPERIOR COURT OF LOWNDES COUNTY

STATE OF GEORGIA

EDNA SINGLETARY,

Plaintiff,

v.

DOLLAR TREE STORES, INC., d/b/a
DOLLAR TREE,

Defendant.

Civil Action

File No.: 2021CV1133

CERTIFICATE OF SERVICE

This is to certify that I have this day served all counsel and parties of record with a copy of Defenses and Answer by statutory electronic service pursuant to O.C.G.A. § 9-11-5(b) or by depositing a copy of same in the United States Mail, postage prepaid, as follows:

Jody D. Peterman, Esq.
Dillon P. Hanson, Esq.
Jody D. Peterman, LLC
P.O. Box 6010
Valdosta, GA 31603-6010

This 9th day of August, 2021.

By: /s/James T. Hankins, III
JAMES T. HANKINS, III
GA State Bar No. 188771
jhankins@GM-LLP.com
Goodman McGuffey LLP
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084
(404) 264-1500 Phone
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